

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 127 of 2005 (S/B)

Rakesh Aeron
S/o Late G.S. Aeron,
R/o Indra Vihar Colony, Near Indra Park,
Bijnor (U.P.). Petitioner

Versus

1. The Chief General Manager,
State Bank of India. Local Head Office.
Lucknow (U.P.).
2. The Deputy General Manager,
State Bank of India, Zonal Officer,
Bareilly (U.P.).
3. The Assistant General Manager,
Region V, State Bank of India,
Zonal Officer, Almora.
4. The Branch Manager,
State Bank of India, Beri Nag,
District Pithoragarh. Respondents

Mr. Abdul Wahid, Advocate for the petitioner.
Mr. Ashish Joshi, Advocate for the respondents.

Coram: Hon. Cyriac Joseph, C.J.
Hon. Rajesh Tandon, J.

ORAL JUDGMENT: (Per Hon'ble the Chief Justice)

1. The petitioner was a Branch Manager of the State Bank of India. He was removed from service pursuant to disciplinary proceedings initiated against him. A copy of the order removing him from service has been produced as Annexure 9 to the writ petition. Against the said order of removal from service, the petitioner filed Annexure 10 Appeal dated 21.02.2005 before the Appellate Authority, Disciplinary Proceedings Cell, State Bank of India. The grievance of the petitioner is that the said appeal has not been considered and disposed of till date. Hence, he has filed this writ petition praying for a direction to the respondents to decide Annexure 10 Appeal dated 21.02.2005. There are incidental prayers also.

2. Mr. Ashish Joshi, Advocate accepted notice for the respondents and submitted that he has no objection in directing the first respondent to consider and dispose of the appeal filed by the petitioner within a reasonable time. Having regard to the facts and circumstances of the case, we are also satisfied that interest of justice requires that the first respondent is directed to consider and dispose of Annexure 10 Appeal as expeditiously as possible. However, we are not inclined to grant the incidental prayers made in the writ petition.

3. Hence, the writ petition is disposed of with a direction to the first respondent to consider and dispose of Annexure 10 Appeal, if it has been received and is still pending, as expeditiously as possible and at any rate, within a period of two months from the date of receipt of a copy of this judgment.

4. The petitioner may produce a copy of this judgment before the first respondent for information and compliance.

(Rajesh Tandon, J.)
04.07.2005

(Cyriac Joseph, C.J.)
04.07.2005

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